



**UNITED STATES DEPARTMENT OF COMMERCE**  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/151,555	09/11/98	HAZRA	R 42390.P5277

WM32/1023

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EXAMINER  
ROGERS, S

ART UNIT	PAPER NUMBER
2824	

DATE MAILED: 10/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Advisory Action**

Application No.

09/151,555

Applicant(s)

Hazra et al

Examiner

Scott Rogers

Art Unit

2624



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED Sept. 24, 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

THE PERIOD FOR REPLY [check only a) or b)]


- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ In view of the early submission of the proposed reply (within two months as set forth in MPEP § 706.07 (f)), the period for reply expires on the mailing date of this Advisory Action, OR continues to run from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for the reply expire later than SIX MONTHS from the mailing date of the final rejection.

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees.
3. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search. (See NOTE below);
- (b) ☐ they raise the issue of new matter. (See NOTE below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

4. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_
5. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claim(s).
6. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See attachment.
7. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
8. ☒ For purposes of Appeal, the status of the claim(s) is as follows (see attached written explanation, if any):  
Claim(s) allowed: \_\_\_\_\_  
Claim(s) objected to: \_\_\_\_\_  
Claim(s) rejected: 1 and 3-29
9. ☐ The proposed drawing correction filed on \_\_\_\_\_ a) ☐ has b) ☐ has not been approved by the Examiner.
10. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
11. ☐ Other: \_\_\_\_\_

  
SCOTT ROGERS  
PRIMARY EXAMINER  
ART UNIT 2624

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***Attachment to Advisory Action***

Applicant's arguments filed Sept. 24, 2001 have been fully considered but they are not persuasive.

Applicant argues that there is no teaching or suggestion found in Fan or Go to combine these references. Applicant argues that there is no contemplation of preprocessing an image or transmitting an image in Go, and that Go relates to interpreting a decoded image, rather than disassembling and reassembling an image as expressed in Fan. It appears applicant meant to argue that Fan does not teach preprocessing an image or transmitting an image, and relates to interpreting a decoded image, rather than disassembling and reassembling an image as expressed in Go. In any event, applicant concludes that there is no teaching or suggestion in either Fan or Go to combine these two references and that the examiner is performing "hindsight construction". As argued by the Examiner in the prior Office action, applicant does not offer any specific arguments or reasoning as to why the references cannot be combined. Nor is any reason given as to why one of ordinary skill in the art would not have found suggestion or motivation to combine the references as presented by the Examiner. Fan discloses edge-sensitive filtering of decompressed images to reduce image noise. Go is directed to efficient and reliable coding and decoding of images with a high compression ratio, while reducing irregularity of edges and avoiding fragmentation of edges. Clearly, both references are directed to preserving edges in decompressed images and therefore are ripe for combination. The encoding and transmission of

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edge position and sharpness information (i.e., the edge detection map) taught in Go and edge-sensitive post-filtering of decompressed images taught in Fan are complementary features which one of ordinary skill in the art would recognize to advantageously combine without any other guidance or influence (e.g., hindsight).

Applicant argues the Go does not teach at least one edge detection method that is claimed. However, the claims only recite generating an edge detection map along a predetermined direction for an uncoded image frame, the predetermined direction comprising one of a horizontal direction and a vertical direction. Go discloses that edge detector 21 detects edge points in an uncoded input image  $X_0$  and outputs horizontal and vertical edge images  $S_h$  and  $S_v$  (i.e., edge maps along horizontal and vertical directions for an uncoded frame of the input image). The edge images are then encoded by encoder 24. Clearly Go meets the claim limitations.

Applicant argues that the Chamzas et al patent is nonanalogous prior art and again alleges that the Examiner is performing hindsight construction. Applicant argues, based on selected case law, that to determine whether a reference is within the pertinent art, it should be determined if the field of the reference is reasonably pertinent to the problem confronting the inventor. Further, applicant refers to a two step-test from the case law under which to determine whether a prior art reference is nonanalogous and thus not relevant in determining obviousness, it must be determined whether (1) a prior art reference is within the field of the inventor's endeavor, and (2) if not, whether the reference is reasonably pertinent to the particular problem with which the inventor was involved. Applicant concludes that the Chamzas et al patent is not in the field of the

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inventor's endeavor and is not reasonably pertinent to the particular problem with which the inventor was involved. Therefore, applicant asserts that the Chamzas et al patent is not relevant in determining obviousness, and therefore the rejection involving Chamzas is improper.

The examiner disagrees with the above conclusion. First, the substantive field of the applicant's endeavor is coding and decoding of video frames. While the field of endeavor of Chamzas et al involves progressive transmission of two-tone images, their field of endeavor also includes encoding and decoding of images (i.e., video frames). Therefore, the Chamzas et al patent is analogous art.

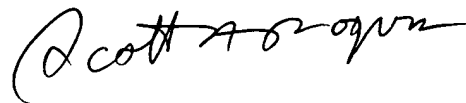
Secondly, with regard to the claimed feature of coding the edge detection map for transmission via a communication channel separately from an associated coded video frame, applicant's supporting disclosure on page 12 of the specification, does not mention anything of a critical nature about the claimed feature, and does not identify or address any particular problem being solved by the claimed feature. Applicant only offers the claimed feature of transmitting the edge detection map separately from the associated video frame as an alternative to transmitting the edge detection map as part of the coded bit stream for the associated video frame, to allow the edge detection map to be stored separately from the associated video frame in the playback system. The Chamzas et al patent is relied on only to the extent of teaching the claimed transmission arrangement for the reasons given in the rejection. Furthermore, the transmission arrangement taught by Chamzas et al allows the supplemental information to be stored separately in buffers 904-906 in the playback system 106. The Chamzas et al patent is considering relevant.

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Any inquiry concerning this application should be directed to **Scott Rogers** at **(703) 305-4726** or Internet e-mail address **scott.rogers@uspto.gov**. The TC 2600 Customer Service number is **(703) 306-0377**. The TC 2600 Official Fax number is **(703) 872-9314**.



SCOTT A. ROGERS  
PRIMARY EXAMINER  
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Oct. 22, 2001